

### Remarks

Reconsideration of this application is respectfully requested.

Reference numerals 43 and 44 on pages 13-15 have been changed to 47 and 48, respectively. As indicated previously, the correction of the errors in these reference numerals satisfies the objection to the drawings, and no corrections to the drawings are necessary.

Claims 1-13 were rejected as being anticipated by Wierschke 6,332,527. However, applicants respectfully submit that the structure and operation of the apparatus described in Wierschke is fundamentally different than the structure and operation of the claimed invention.

### Wierschke

Wierschke describes what can be generally referred to as a trim eliminator for a log saw. The device conveys cut products such as bathroom tissue from a log saw from right to left in Figures 2, 4, and 23-26. A stationary trough 37 of the log saw is spaced from a downstream stationary trough 38 by a gap 36. Trailing and leading shuttles 44 and 45 reciprocate on the frame for transporting the cut products across the gap. The shuttles do not transport the end trim pieces 51, 54 of each log, and the trim pieces fall through the gap as illustrated in Figures 24 and 25. Multiple lanes of cut products are pushed onto the leading shuttle by pushers 40 which are mounted on continuous belts. All of the lanes of product are advanced simultaneously.

The examiner has marked up Fig. 24 to label the trailing shuttle 44 as "Buffer Conveyor", the pushers 40 as "1<sup>st</sup> Conveyor", and the leading shuttle 45 as "2<sup>nd</sup> Conveyor". The examiner's arrow and the word "Exit" indicate movement from left to right. However, the actual movement is from right to left as describe in col. 3, line 32 to col. 4, line 21. What the examiner has marked as "Buffer Conveyor" is therefore downstream and not upstream of what are marked as the "1<sup>st</sup> Conveyor" and the "2<sup>nd</sup> Conveyor".

The examiner also refers to “pushers” 52 and 55 on the trailing shuttle 44 and the leading shuttle 45. However, the “pushers” 52 and 55 do not push objects along a path. Instead they are grippers which hold the products stationary on the shuttles so that the products travel with the shuttles (col. 3, lines 56-57; col. 4, lines 11-12; col. 5, lines 5-12).

On Fig. 16 the examiner has marked a “1<sup>st</sup> motor” for driving pushers 40 and “2<sup>nd</sup> motor” 104 for driving shaft 97 which drives “pushers” 55. However, the upstream servo motor 104 drives the shaft 97, the outside pulleys 111, and the outside belts 115 (Fig. 14) which drive the leading shuttle 44 (col. 6, lines 10-26). The servo motor 104 does not act directly on the grippers 55. The grippers merely travel with the shuttle.

The examiner wrote on Fig. 16 that “each pusher 55 could be considered an individual conveyor”. However, as previously stated, the items 55 are grippers which do not push products. Instead, they hold products in a stationary manner on the shuttle.

On Figs. 14 and 15 the examiner has marked servo motor 106 as “Buffer Motor” and servo motor 104 as “1<sup>st</sup> Motor”. As previously explained, those servo motors drive the belts 114 and 115, respectively, which drive the trailing shuttle 44 and the leading shuttle 45.

#### Wierschke Does Not Anticipate

Claim 1 describes:

a plurality of product supports mounted on the frame for supporting rows of products, the product supports having an entry portion and an exit portion,  
a conveyor movably mounted on the frame for each product support,  
a pusher mounted on each conveyor for pushing a row of products along the associated product support toward the exit portion,  
a first motor for driving at least one of the conveyors, and

a second motor for driving at least another of the conveyors, whereby said one conveyor and said another conveyor and the pushers mounted thereon can be driven independently of each other.

Wierschke does not anticipate claim 1. Wierschke does describe a plurality of product supports 37 which support a plurality of rows of products and a plurality of pushers 40 for pushing products along the product supports. However, Wierschke discloses only a single motor for driving all of the pushers 40 simultaneously so that all rows of product are advanced at the same time.

The trailing and leading shuttles 44 and 45 of Wierschke do not anticipate claim 1 because they do not include pushers for pushing the rows of products toward the exit portion and do not include first and second motors for driving at least two pushers independently.

Dependent claims 2-13 add additional details which are not disclosed by Wierschke. For example, claim 10 describes a buffer conveyor movably mounted on said frame and a bar mounted on the buffer conveyor for pushing products on the product supports from the entry portions thereof towards said pushers. What the examiner has labeled as "Buffer Conveyor" in Wierschke is a shuttle which does not include a bar for pushing products on the product supports from the entry portions thereof towards said pushers.

Claim 11 says that the bar is supported by each of said endless chains and extends across the product supports.

Claim 13 describes a second bar supported by each of the endless chains and extending across the product supports for pushing products on the product supports from the entry portions thereof toward said pushers.

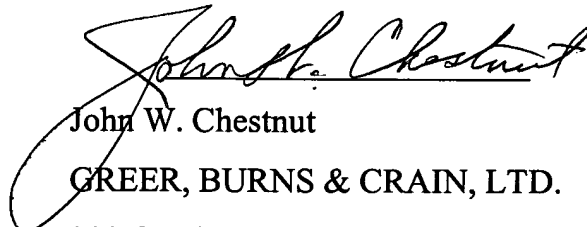
Claims 14 and 15 were rejected as unpatentable over Wierschke in view of James. James is identified on page 7 of the application as describing a conventional wrapper. Claims 14 and 15 describe upper and lower speed-up belts in combination with the apparatus of claim 1. Since Wierschke does not disclose

or suggest the elements of claim 1, claims 14 and 15 are not obvious in view of the combination of Wierschke and James.

In view of the forgoing, reconsideration and allowance of this application is respectfully requested.

Respectfully submitted,

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### The Drawings:

The Office Action Summary indicated that the drawings are objected to by the Examiner. However, the Action does not describe any specific objections. The undersigned attorney for applicants called Examiner Hess on February 2, 2005 to discuss the objection to the drawings. Examiner Hess and applicants' attorney agreed that the objection to the drawings refers to reference numerals 43 and 44 on pages 13 and 14 of the specification, which should be changed to 47 and 48, respectively. That change will be made in the following Amendment to the specification.